

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
All Actions

**SECOND DECLARATION OF PETER
J. GOSS IN SUPPORT OF REPLY TO
DEFENDANTS' MOTION TO
EXCLUDE THE OPINIONS AND
TESTIMONY OF PLAINTIFFS'
ENGINEERING EXPERTS**

Peter J. Goss, being first duly sworn, deposes and declares:

I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company and Arizant Healthcare Inc. (together, "Defendants") in this litigation. I submit this declaration in support of Defendants' Reply to Motion to Exclude the Opinions and Testimony of Plaintiffs' Engineering Experts. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

1. Attached as Defendants' Exhibit 73 is a true and correct copy of an email chain identified as AUGUSTINE_0035522.

2. Attached as Defendants' Exhibit 74 is a true and correct copy of 76 is a true and correct copy of a document entitled, Bair Hugger Warming and Peri-Prosthetic Infections in Joint Replacement Surgery: A Guide to Product Liability Litigation, identified as AUGUSTINE_0035545.

3. Attached as Defendants' Exhibit 75 is a true and correct copy of an email chain identified as AUGUSTINE_0035526.

4. Attached as Defendants' Exhibit 76 is a true and correct copy of the

deposition of Robert Crowder, Ph.D., Corporate Representative of Pentair.

5. Attached as Defendants' Exhibit 77 is a true and correct copy of Exhibit 9 from the deposition of Michael Buck.

6. Attached as Defendants' Exhibit 78 is a true and correct copy of the deposition transcript errata and certification page of Plaintiffs' expert Said Elghobashi, Ph.D.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 17th day of October, 2017.

s/Peter J. Goss